

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Figure 2. This sheet replaces the original sheet including Figure 2.

Figure 2 adds the reference character  $G_{pq}$  defining a geophone  $G_{pq}$  adjacent the horizontal spatial coordinates  $i, j$  corresponding to geophone  $G_{ij}$  as disclosed on page 7, lines 3-11 of the application as filed.

A new drawing figure is submitted adding Figure 7 to the drawings.

Attachment:     One Replacement Sheet  
                     One new drawing

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

The specification is amended to include section headings as suggested in the Official Action. The specification is further amended consistent with the drawing figures.

A replacement drawing is submitted for Figure 2 adding the geophone  $G_{pq}$  as disclosed on page 7, lines 3-11 of the application as filed.

A new drawing figure labeled Figure 7 is submitted that shows the elements of the device recited in claims 7 and 8.

The above changes are believed sufficient to address the drawing objections noted in the Official Action. The above-noted changes to the drawings are the only changes and are believed not to introduce new matter.

Claims 1-20 are pending in the application. Applicants note with appreciation the indication that claims 1, 3-6 and 13 are allowed and that claims 2, 7-12 and 14-20 are allowable.

Claims 7, 9, 10 and 14-20 are rewritten in independent form to address the objection noted on page 4 of the Official Action.

As to the objection of claims 7-10 and 14-20 noted on page 5 of the Official Action, based on the disclosure not being enabling, applicants note the following.

MPEP §2164.01 provides that "the test of enablement is whether one reasonably skilled in the art could make or use the invention from the disclosures in the patent coupled with information known in the art without undue experimentation". In re Buchner, 929 F.2d 660, 661, 18 USPQ2d 1330, 1332 (Fed. Cir. 1991).

Applicants note the use of the various means as recited in claims 7 and 8 are known means that would be readily recognized by those of ordinary skill in the art. Accordingly, one of ordinary skill in the art would be able to use the invention based on the present disclosure and coupled with information known in the art without undue experimentation. Therefore, the test of enablement is believed met and withdrawal of the rejection is respectfully requested.

As to the software code steps, these are the same steps as the method steps but embodied by a computer readable medium. Thus, one of ordinary skill in the art would be able to use the present software steps based on the present disclosure and coupled with the information known in the art without undue experimentation. Therefore, the test of enablement as to these claims is believed met and withdrawal of the rejection is respectfully requested.

To address the claim objection set forth on page 5 as to claim 11, applicants note that claim 11 includes the features

of claim 3, but is dependent from claim 2, whereas claim 3 is dependent from claim 1.

Claim 2 is amended to remove the phrase "for example" to address the 35 USC §112, first paragraph, as to this claim.

Claims 9, 10 and 17-20 were rejected under 35 USC §101 as allegedly being directed to non-statutory subject matter. That rejection is respectfully traversed. Claims 9, 10, and 17-20 are amended to clarify that the software package is embodied on a computer-readable medium. The claims as thus amended are believed to avoid the rejection under 35 USC §101.

Claims 7, 8, and 14-16 were rejected under 35 USC §101 as being directed to non-statutory subject matter. That rejection is respectfully traversed.

As set forth above, the recited "means" in claims 7, 8 and 14-16 are known means that would be recognized by one of ordinary skill in the art. These means are not directed to mere software code but rather have structure, which exhibits statutory subject matter.

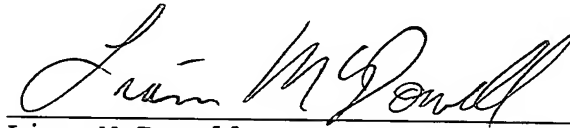
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the requisite fee of \$800 for the eight extra independent claims added herewith, to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in cursive script, reading "Liam McDowell", written in dark ink.

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LM/mjr

**APPENDIX:**

The Appendix includes the following item(s):

- a Replacement Sheet for Figure 2 of the drawings and a new drawing Figure 7.